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FROM: Robert C. Beam Desk Phone: 973-724-3411

SUBJECT: SN: 10/064661, Filing Date: 08/05/2002, entitled:
 BIOREMEDIATION OF NITROGENOUS CONTAMINANTS, by Brodman, et.al. –
 Response to Office Action of December 4, 2003.

Pages sent including header: 12

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Docket No. 2001-012 FEB 19 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re: Application of:

Brodman, Bruce W.

And

Lee, Sheng-Yih

Serial No.: 10/064,661

Examiner: Dr. Herbert J. Lilling

Filed: August 5, 2002

Group Art Unit: 1651

For: BIOREMEDIATION OF
NITROGENOUS CONTAMINANTS

AMENDMENT

Assistant Commissioner of Patents,
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed December 4, 2003, the deadline for normal response expiring on March 4, 2003, please consider the following:

REMARKS

The claims are 1 to 15. Claims 3, 5, 6 and 8 to 15 stand withdrawn from consideration pursuant to 37 CFR § 1.142(b), as being drawn to nonelected invention(s) or species. Claims 1, 2, 4 and 7 stand rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement.

In a telephonic conversation with the Examiner, it was indicated that this rejection could be overcome by a filing of the organisms with an approved culture collection and a